

HAND DELIVERED
Date of Deposit: October 27, 2006

URGENT - EXPEDITED HANDLING
Atty. Docket. No.: 25452-014

FAX RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OCT 26 2006

Appl. No.	:	10/658,978	Confirmation No.	3973	OFFICE OF PETITIONS
Applicants	:	David G. Therrien, <i>et al.</i>	TC/A.U. :	2165	
Filed	:	September 10, 2003			
Examiner	:	Mofiz, Apu M.			
Customer No.	:	35437			
Title	:	METHOD AND APPARATUS FOR STORAGE SYSTEM TO PROVIDE DISTRIBUTED DATA STORAGE AND PROTECTION			

OFFICE OF PETITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. In accordance with MPEP §609.04(a)(II), copies of the cited U.S. patents and U.S. publications are not required.

This Information Disclosure Statement is being filed before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. § 1.114, for the above-identified application. Accordingly, no fee or certification is believed required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims. It is also respectfully requested that the Examiner initial, sign and date, and return a copy of the signed modified Form PTO-1449 with the next U.S. PTO communication, to evidence that the cited information has been fully considered by the U.S. Patent and Trademark Office during the examination of this application.

HAND DELIVERED
Date of Deposit: October 27, 2006

URGENT - EXPEDITED HANDLING
Atty. Docket No.: 25452-014

By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

The order of presentation of the references should not be construed as an indication of the importance of the references. The Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. Reference No. 25452-014, Customer No. 35437.

Respectfully submitted,



Boris A. Matvenko, Reg. No. 48,165
Attorney for Applicants
MINTZ, LEVIN, COHN, FERRIS, GLOVSKY
AND POPEO, P.C.
Chrysler Center, 666 Third Avenue, 24th Floor
New York, New York 10017
Tel: (212) 935-3000
Fax: (212) 983-3115

Dated: October 27, 2006

Hand Carried

Date of Deposit: October 27, 2006

Attorney Docket No.: 25452-014

Please type a plus sign (+) in this
box

+

Modified Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)	Application Number	10/658,978
	Filing Date	September 10, 2003
	First Named Inventor	David G. Therrien, et al.
	Group Art Unit	2165
	Examiner Name	Apu M. Mofiz
	Attorney Docket Number	25452-014

U.S. PATENT DOCUMENTS

Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	A1	5,659,614 A	August 19, 1997	Bailey, III	713	165	November 28, 1994
	A2	5,813,017 A	September 22, 1998	Morris	707	204	September 3, 1996
	A3	5,974,574 A	October 26, 1999	Lennie, et al.	714	52	September 30, 1997
	A4	6,272,649 B1	August 7, 2001	Hayward, et al.	714	6	September 28, 1998
	A5	6,304,882 B1	October 16, 2001	Strellis, et al	707	202	May 5, 1998
	A6	6,389,427 B1	May 14, 2002	Faulkner	707	104.1	May 28, 1999

U.S. PUBLISHED APPLICATION DOCUMENTS

Exam Initials	Cite No.	U.S. Published Application No.	Published Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	A7	2002/095416 A1	July 18, 2002	Schwols	714	6	January 12, 2001

FOREIGN PATENT DOCUMENTS

Exam Initials	Cite No.	Foreign Patent Office	Document Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No
	B1	WIPO	WO 02/35359 A	Huang , et al	May 2, 2002	No

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.		
	C1	Supplementary European Search Report for PCT/US0328390, date of mailing: October 4, 2006		
	C2	Supplementary European Search Report for PCT/US0328250, date of mailing: October 5, 2006		
	C3	Supplementary Partial European Search Report for PCT/US0328251, date of mailing: October 6, 2006		
	C4	Supplementary European Search Report for PCT/US0328692, date of mailing: October 10, 2006		
Examiner Signature			Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

NYC 374256v.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/658,978 Confirmation No. 3973
Applicants : David G. Therrien, *et al.* TC/A.U. : 2165
Filed : September 10, 2003
Examiner : Mofiz, Apu M.
Customer No. : 35437
Title : METHOD AND APPARATUS FOR STORAGE
SYSTEM TO PROVIDE DISTRIBUTED DATA
STORAGE AND PROTECTION

OFFICE OF PETITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Facsimile Transmission under 37 C.F.R. § 1.8

The undersigned hereby certifies that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office to:

Office of Petitions, Facsimile No. 571-273-0025 on October 26, 2006.

Respectfully submitted,



Boris A. Matvenko
MINTZ, LEVIN, COHN, FERRIS, *et al.*
666 Third Avenue, 24th Floor
New York, New York 10017
Phone: (212) 935-3000
Fax: (212) 983-3115

Dated: October 26, 2006

1. Petition under 37 C.F.R. § 1.313(c)(2) to Withdraw from Issue after Payment of Issue Fee (2 pages);
2. Request for Continued Examination (RCE) Transmittal (2 pages)
3. Information Disclosure Statement (2 pages) with Modified Form PTO-1449 (1 page); and
4. Transmittal Letter (1 page).

Total Number of Pages (including this Certificate of Transmission) 8 pages